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Swift Transportation Co. of Arizona, LLC

11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 LAURA PETERS,

15 Plaintiff,

16 v.

17 SWIFT TRANSPORTATION CO. OF
18 ARIZONA, LLC; DOE DRIVER; DOES I
19 through XX, inclusive; and ROE BUSINESS
ENTITIES I through XX, inclusive,

20 Defendants.

Case No. 2:19-cv-00874-GMN-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(SIXTH REQUEST)

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23 Defendant Swift Transportation Co. of Arizona, LLC (“Swift”) and Plaintiff Laura Peters
24 (“Ms. Peters” or “Plaintiff”), by and through their respective undersigned counsel, hereby stipulate
25 and agree to extend the current discovery deadlines set forth in the Scheduling Order entered on
26 January 27, 2021 (ECF No. 41), pursuant to LR 26-3. This is the sixth stipulation to extend the
27 discovery deadlines.

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A. Statement Specifying the Discovery Completed

To date, the parties have completed significant written discovery. Plaintiff has disclosed twenty two supplements to her Rule 26(a) initial disclosures, identifying over 50 witnesses and thousands of pages of records. Plaintiff has also responded and provided supplemental responses to two sets of requests for production and two sets of interrogatories. Swift has also disclosed over a thousand pages of records and subpoenaed records from dozens of medical providers. The parties have also served and responded to Rule 34 vehicle inspection requests. Further, three medical examinations of Ms. Peters arranged by Swift have taken place.

As for experts, on April 5, 2021, the parties made initial expert disclosures. Plaintiff identified nine medical professionals as non-retained medical expert/treating physicians. Plaintiff further identified ten initial experts, in the areas of accident reconstruction/biomechanical, spinal surgery, orthopedics, economics, radiology, neuropsychology, neurology, addiction, life care planning, and occupational therapy. Swift identified six initial experts, in the areas of spinal surgery, orthopedics, neurology, life care planning, psychiatry, and accident reconstruction/biomechanical.¹

As for depositions, Swift deposed Plaintiff on March 9, 2021. Swift has noticed the depositions of five lay witnesses, two first responders, three treating providers, and five non-retained medical expert/treating physicians for dates between April 23, 2021 and May 13, 2021.

B. Specific Description of the Discovery that Remains to be Completed

Discovery in this case has been ongoing and additional discovery remains to be completed, including, but not limited to:

- *Written Discovery.* The parties are meeting and conferring over past responses and Swift will continue to evaluate the need for additional requests or subpoenas depending on how discovery progresses, particularly since Ms. Peters is still undergoing treatment.
- *Experts.* The parties intend to disclose rebuttal experts.

¹ The descriptions of the parties' experts' areas of expertise is for information purposes only, and in no way is intended or should be construed as defining or otherwise limiting the scope or expertise of said experts.

- *Depositions.* Swift intends to take a number of depositions in this matter, including, but not limited to, the depositions referenced above, additional non-retained medical expert/treating physicians, and experts disclosed by Plaintiff. Plaintiff also intends to take a number of depositions, including, but not limited to, Swift, several lay witnesses, several medical providers, and experts disclosed by Swift. Given the number of witnesses, the parties anticipate the need to take more than ten depositions.
- All other discovery deemed necessary by the parties in accordance with the scheduling order and permitted by law.

C. Reasons Why Discovery was not Completed

Since the last discovery extension, the parties have progressed in discovery. Given the number of experts disclosed by the parties (16 retained experts in total), as well as the extensive injuries alleged by Ms. Peters, her ongoing treatment, accommodating the schedules of various busy medical professionals and expert witnesses, and the general complex nature of this matter, the parties request a 60 day extension to the rebuttal expert deadline and a 75 day extension to the close of discovery deadline. The parties seek the 45 days between the rebuttal expert deadline and the close of discovery deadline, instead of the typical 30, so as to allow additional time for expert depositions following the disclosure of rebuttal designations.

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D. Proposed Schedule for Completing Remaining Discovery

Event	Current Deadline (ECF No. 41)	Proposed Deadline
Discovery Cutoff	06/04/2021	08/19/2021
Deadline Amend Pleadings/Add Parties	03/03/2021	Passed
Initial Expert Disclosure	04/05/2021	Passed
Rebuttal Expert Disclosure	05/05/2021	07/05/2021
Dispositive Motions	07/02/2021	09/20/2021
Pretrial Order	08/02/2021	10/20/2021

If dispositive motions are filed, the deadline for filing the pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections to them must be included in the pretrial order.

DATED: April 15, 2021

DATED: April 15, 2021

/s/ Ryan T. Gormley

/s/ Ramzy P. Ladah (with permission)

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Ryan T. Gormley, Esq.

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Swift Transportation Co. of Arizona, LLC

IT IS SO ORDERED.

DATED: April 16, 2021


UNITED STATES MAGISTRATE JUDGE

